

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN DOE,)	
)	
Plaintiff,)	4:10CV3004
)	
v.)	
)	
STATE OF NEBRASKA, et. al., ,)	MEMORANDUM AND ORDER
)	
Defendants.)	

The plaintiff herein did not participate in preparing the Rule 26(f) report of parties' planning conference entered in the lead case, John Doe and Jane Doe 1 through 20 et al v. State of Nebraska et al, 8:09cv456 (see 8:09cv456, filing no. [359](#)). Plaintiff's counsel has advised the court that his client may move to voluntarily dismiss this action, but a motion for voluntary dismissal has not been filed.

Accordingly,

IT IS ORDERED:

- 1) On or before October 5, 2010, the plaintiff shall either file a motion for voluntary dismissal of this case, or show cause why his case should not be dismissed for want of prosecution.
- 2) In the absence of timely compliance with this order, this case may be dismissed without further notice.

DATED this 23rd day of September, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge